

SPSO decision report

Case: 201202108, Lothian NHS Board - University Hospitals Division

Sector: health

Subject: clinical treatment / diagnosis

Outcome: some upheld, recommendations

Summary

Miss C complained about aspects of the care she received during the birth of her son. She was unhappy with the time taken to allocate her a midwife on admission and to give her pain relief. She was also concerned about the attitude of staff in the labour ward, which she felt was dismissive and unprofessional at times. Miss C had a forceps delivery (where the baby is delivered using a surgical instrument resembling a pair of tongs). She complained that the care provided by the labour ward doctor and the surgeon in the theatre during the procedure was abrupt and overly forceful. In particular she was concerned about the physical damage that she and her son sustained during the birth.

We took independent advice on Ms C's complaint from two medical advisers. We upheld her complaints about delays and about unprofessional behaviour on the ward, noting that the board had already apologised for these, although we concluded that her overall treatment was reasonable in the circumstances. We did not uphold the complaint about the staff in the operating theatre, as we found no evidence of failures there, although in relation to this complaint we identified a concern with the quality and accuracy of the board's investigation it, and made recommendations accordingly.

Recommendations

We recommended that the board:

- review the consent form for operative vaginal delivery, to consider including all the common risks given in the Royal College of Gynaecologists Consent Advice No 11 (Operative Vaginal Delivery) July 2010;
- apologise to Miss C for the failure to adequately investigate her concerns and provide her with an accurate response to her complaint; and
- provide the Ombudsman with the outcome and details of any actions arising from their investigation into the failures of their original investigation into this complaint.